

Agricultural and Food Processing Clearance Order
Pedido de Empleados para Agricultura y Procesamiento de Alimentos

FEINA 22-3618457

U.S. Department of Labor
Employment and Training Administration



O.M.B. Approval No. 1205-0134, Expires 08/31/2009

1 Employer's Name and Address (Number, Street, City, State, Zip Code, and telephone number) Nombre y Dirección del Empleador (Número, calle, ciudad, código postal y teléfono) Cassaday Farms, LLC 401 Pine Tavern Road Monroeville NJ 08343 (609) 820-8169		Industry Code / Código de Industria 111		Job Order # / No. Orden de Empleo NJ0761587																																																			
2 Location and Direction to Work Site / Dirección del lugar de trabajo 401 Pine Tavern Road Monroeville NJ 08343 (see attachment / para más detalles vea <input checked="" type="checkbox"/>)		Occupational Title and Code / Título Ocupacional y Código Temporary Farm Worker		Clearance Order Issue Date / Fecha de Emisión 2-3-10																																																			
3 Location and Description of Housing / Dirección y Descripción de la Vivienda Dormitory style housing with common kitchen, living area and bathrooms on site. (see attachment / para más detalles vea <input type="checkbox"/>)		8 Anticipated Hours of Work per Week / Horas Anticipadas de Trabajo por Semana Total: 40 Sunday / Domingo: _____ Monday / Lunes: 7am-4pm Tuesday / Martes: 7am-4pm Wednesday / Miércoles: 7am-4pm Thursday / Jueves: 7am-4pm Friday / Viernes: 7am-4pm Saturday / Sábado: _____		6 Anticipated Period of Employment / Período Anticipado de Empleo From / Desde: 3/15/10 / Hasta / Hasta: 11-30-10																																																			
4 Board Arrangements / Arreglo de Alojamiento A full kitchen with cooking and eating utensils is provided in dormitory. (see attachment / para más detalles vea <input type="checkbox"/>)		7 No. of Workers Requested / No. de Trabajadores Pedidos 60		9 Collect Calls Accepted / Se Aceptan Llamadas a Cobrar Employer / El Empleador: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Local Office / Oficina Local: Yes <input type="checkbox"/> No <input type="checkbox"/>																																																			
5 Referral Instructions / Instrucciones para el Referimiento de Candidatos Send resume to the above address. (see attachment / para más detalles vea <input type="checkbox"/>)		10 Job Specifications / Descripción de Trabajo (Summary of Material Job Specifications in ENGLISH must be included inside this box) Manually plant, cultivate and harvest vegetables, fruits and other crops. Use hand tools such as shovels, crowbars, axes, saws, pruning shears, knives and knives. Tie soil and apply fertilizers and pesticides. Transport, pack, grade and grade crops. Clean, grade, sort, package and load harvested products.																																																					
10 a Descripción del Trabajo / Job Specifications (Summary of Material Job Specifications in SPANISH must be included inside this box) Plantar, cultivar, cosechar y paquear las verduras, frutas y cultivos de campo. (see attachment / para más detalles vea <input checked="" type="checkbox"/>)		11 Wage Rates, Special Pay Information and Deductions / Tasa de Pago, Información Sobre Pagos Especiales y Deducciones (Rebajas) <table border="1"> <thead> <tr> <th rowspan="2">Crop Activities / Cultivos</th> <th rowspan="2">Hourly Wage / Salario por Hora</th> <th rowspan="2">Piece Rate / Unit(s) / Pago por Pieza / Unidades</th> <th rowspan="2">Special Pay (bonus, etc.) / Pagos Especiales (Bonos, etc.)</th> <th rowspan="2">Deductions / Deducciones</th> <th colspan="2">YRS</th> <th rowspan="2">Pay Period / Período de Pago</th> </tr> <tr> <th>SI</th> <th>NO</th> </tr> </thead> <tbody> <tr> <td></td> <td>\$ 9.70</td> <td>\$</td> <td>25-cen/box</td> <td>Social</td> <td>X</td> <td></td> <td>Weekly / Semanal</td> </tr> <tr> <td></td> <td>\$</td> <td>\$</td> <td>Stay Hrv Nov.</td> <td>Federal Tax / Impuestos Federales</td> <td>X</td> <td></td> <td>X</td> </tr> <tr> <td></td> <td>\$</td> <td>\$</td> <td></td> <td>State Tax / Impuestos Estatales</td> <td>X</td> <td></td> <td>Bi-weekly / cada 2 sem</td> </tr> <tr> <td></td> <td>\$</td> <td>\$</td> <td></td> <td>Meals (comidas)</td> <td></td> <td>X</td> <td></td> </tr> <tr> <td></td> <td>\$</td> <td>\$</td> <td></td> <td>Other (specify) / Otro</td> <td></td> <td>X</td> <td>Other / Otro</td> </tr> </tbody> </table>				Crop Activities / Cultivos	Hourly Wage / Salario por Hora	Piece Rate / Unit(s) / Pago por Pieza / Unidades	Special Pay (bonus, etc.) / Pagos Especiales (Bonos, etc.)	Deductions / Deducciones	YRS		Pay Period / Período de Pago	SI	NO		\$ 9.70	\$	25-cen/box	Social	X		Weekly / Semanal		\$	\$	Stay Hrv Nov.	Federal Tax / Impuestos Federales	X		X		\$	\$		State Tax / Impuestos Estatales	X		Bi-weekly / cada 2 sem		\$	\$		Meals (comidas)		X			\$	\$		Other (specify) / Otro		X	Other / Otro
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12 Transportation Arrangements / Arreglos de Transportación (Please explain) Labor supervisor will provide transport to housing and local stores as needed. (see attachment / para más detalles vea <input type="checkbox"/>)		13 Is it the prevailing practice to use Farm Labor Contractors (FLC) to recruit, supervise, transport, house, or pay workers for this (these) crop activity(ies)? Es la costumbre en el área de usar Contratistas Agrícolas para reclutar, supervisar, transportar, dar vivienda, o pagarle a los trabajadores en este/estos tipo(s) de cosecha(s)/semebrado(s)? Yes/Sí <input type="checkbox"/> No <input checked="" type="checkbox"/> If you have checked yes, what is the FLC wage for each activity?/Si contesto "Sí," ¿cuál es el salario que le paga al Contratista Agrícola para cada actividad?																																																					
14 Unemployment insurance provided? Seguro por Desempleo Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> 15 Workers' compensation insurance provided / Indemnización por accidente de trabajo Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> 16 Are tools provided at no charge to the workers? / Se le proveen las herramientas de trabajo a los trabajadores sin cargo alguno? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		17 List any arrangements which have been made with establishment owners or agents for the payment of a commission or other benefits for sales made to workers. (If there are no such arrangements, enter "None")/Indique todo acuerdo o convenio con los propietarios del establecimiento o sus representantes con respecto al pago de una comisión u otros beneficios por ventas hechas a los trabajadores (Si no hay ningún acuerdo o convenio, indique "Ninguno") NONE																																																					
18 List any strike, work stoppage, slowdown, or interruption of operation by the employees at the place where the workers will be employed. (If there are no such incidents, enter "None") Enumere todo huelga, paro o interrupción de las operaciones por parte de los empleados en el lugar de empleo (Si no hay, indique "Ninguno") NONE		19 Address of Order Holding Office / Dirección de la Oficina (incluya número de P.O. Box, U.S. Letter Mail) One-Stop Career Center 174 E. Broadway, Floor 2, Salem, NJ 08079																																																					
20 Name of Local Office Representative (include title and telephone number) / Nombre del Representante de la Oficina Local (incluya título y número telefónico) Manager - 856-935-7007		21 Employer's Certification This job order describes the actual terms and conditions of the employment being offered by me and contains all the material terms and conditions of the job Certificación del Empleador Esta orden de trabajo describe los términos y condiciones de trabajo y contiene todos los materiales, términos, y condiciones ofrecidos. Employer's Signature & Title / Firma y Título del Empleador George Cassaday - Farmer / President																																																					

Trabajadores que buscan empleo, ni EJA ni las agencias del estado pueden garantizar la verdad y certeza de la información contenida en la Orden de Trabajo sometida por el Empleador. Tampoco, ninguna orden de trabajo aceptada o reclutada por el Servicio de Empleo constituye una oferta contractual de la cual ETA ni la agencia del Estado son parte

Public reporting burden for the ETA Form 790 is estimated to be approximately 60 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and reviewing the collection. Respondents' obligation to reply to these requirements are mandatory by 20 CFR 653.500. Persons are not required to respond to this collection of information unless it displays a current valid OMB control number. Comments regarding this burden estimate or any other aspect of this collection, including suggestions for reducing the burden can be sent to the U.S. Department of Labor, Office of Workforce Investment, Room S-4321, Washington, D.C. 20210 (Paperwork Reduction Project 1205-0134)

ADDENDUM:

Directions to Cassaday Farms:

From I-295, Take Route 322 East to Route 77 South. Right after Mood's Farm Market, turn left onto Pine Tavern Rd / CR 648. Cassaday Farms is ¼ mile up the road, on the right.

Full Job Description in Spanish:

Plantar, cultivar y cosechar las verduras, frutas y cultivos de campo manualmente. Usar herramientas manuales como las palas, paletas, azadas, pisones, podaderas, tijeras, y cuchillos. Labrar la tierra y aplicar el abono y la insecticida. Trasplantar, escardar, hacer menos espeso y podar los cultivos. Limpiar, graduar, clasificar, empaquetar, y cargar los cultivos cosechados.

ASSURANCES STATEMENT
Form ETA 790 Attachment

ATTACHMENT LTR.: A

The employer agrees to abide by the regulations at 20 CFR 653 501 and Assurances 20 CFR 655 103 which include reasonable access to the workers by duly authorized Federal and State representatives including New Jersey One-Stop Career Center (State Workforce Agency) Outreach Workers in the conduction of Outreach and Field Check activities pursuant to 20 CFR 653.107 and 653 503.

Specific Conditions of Employment by ETA 790 Items #:

Item 2: LOCATION AND DIRECTION TO WORKSITE:

The worksite is located at 401 Pole Tavern Rd., Monroeville, NJ in the following County/Countries: Salem The directions to the worksite are:

From I-295, Take Rt. 322 East to Rt. 77 South. After Mood's Farm Market, turn left on Pole Tavern Rd./CR-648. Farm is on left.

Item 3: LOCATION AND DESCRIPTION OF HOUSING:

Housing is located at 82 Dilks Rd. and 418 Pine Tavern Rd.
Monroeville, NJ

Directions to housing are same as above.

Description of housing: Dormitory housing w/ common area, bathrooms and kitchen facilities.

Housing and utilities are provided at no cost to workers who are not able to return the same day to their place of residence. In the event a female worker is hired, separate toilet, shower and sleeping room will be provided by the employer. Any action taken by the employer to dispossess a worker of his dwelling shall be done in accordance with New Jersey state law.

The employer request permission for conditional entry into the Interstate and Intrastate Clearance System so that this job order can be transmitted to labor supply states in a timely manner to facilitate the recruitment of domestic workers. The employer assures that the worker housing will be clean, available for inspection and in compliance with applicable U.S occupational safety and health administration regulations no less than 30 days prior to the date of need reflected in the attached ETA 9142 and ETA 790.

Workers will be responsible for maintaining the housing and surrounding area in a neat and clean manner.

ASSURANCES STATEMENT
Form ETA 790 Attachment

ATTACHMENT LTR. A

Item 4: BOARD ARRANGEMENTS *(Check appropriate item(s))*

The employer will furnish free and convenient cooking and kitchen facilities so workers may prepare their own meals. Employer will provide (on a voluntarily basis) transportation to assure workers access to stores where they can purchase groceries and/or other incidentals.

The employer will provide workers three meals per day and will deduct \$ _____ per day from each worker for meals.

Item 5: REFERRAL INSTRUCTIONS: *(Include here who an applicant or State Workforce Agency Representative should contact concerning employment and how that person may be reached)*

Applicants, Workforce Agency Personnel, Walk-ins Gate Hires and others may:

- Call for an interview during normal business hours at the number listed on the ETA 790 form.
 Report to the farm office or worksite listed on the RTA 790 form.
 Other (Describe) _____

Item 6: ANTICIPATED PERIOD OF EMPLOYMENT:

The employer ~~does~~ (does not) require multiple start dates, within the dates entered in Item 6 of the ETA 790, for various sub-groups of workers. If multiple start dates are required, the dates, number of workers required for each date, and other details are specified in ATTACHMENT NO. _____

Item 8: ANTICIPATED HOURS OF WORK:

The normal workday is 8 hours long. The worker may be requested, but not required, to work up to 10 hours per day depending upon weather conditions and the maturity of the crops being harvested

Items 10 and 10a: JOB SPECIFICATIONS:

The employer has entered under "Job Specifications" only the essential job qualifications, including educational and/or training level, experience requirement and physical capabilities. The description of the job to be performed is complete. There are no other essential job qualifications or duties.

ASSURANCES STATEMENT
Form ETA 790 Attachment

ATTACHMENT LTR.: A

Item 11: WAGE RATE, SPECIAL PAY INFORMATION AND DEDUCTIONS:

HOURLY WAGE RATE:

An hourly rate of not less than the Adverse Effect Wage Rate (AEWR), the prevailing wage rate, State minimum, Federal minimum or the employer's hourly rate, whichever is highest, will be the minimum rate of pay for all employees. The employer assures that if a change in the AEWR requires an increase in the guaranteed minimum, such increase will be paid as of the effective date of the increase. If the worker's piece rate earnings for a pay period results in average hourly earnings of less than the guaranteed minimum, the worker will be provided make-up pay to the guaranteed minimum rate.

PIECE WAGE RATE:

If a Piece Rate is offered on the job order, the work performed at the piece rate will be guaranteed to the workers for the stated period of employment unless crop activity will not realize the workers an hourly equivalent of at least the current AEWR. If it does not, the worker will be paid the AEWR, the Prevailing Wage Rate, or the employer's hourly rate, whichever is highest. If the employer requires one or more minimum productivity standards as a condition of work retention, such standards must be specified in the job offer and be no more than those required by the employer in 1977, unless the OFLC Administrator approves a higher minimum wage.

This job offer includes the following crop activity, any minimum productivity standards and rates of pay per unit: (Include all crops and activities not listed on the ETA 790 from, Item 11)

n/a

The employer guarantees to offer employment for a minimum of $\frac{3}{4}$ of the workdays of the total specified period during which the work contract and all extensions thereof are in effect, beginning with the first workday after the worker's arrival at the place of employment and ending on the expiration date specified in the work contract or extension thereof. In Act of God terminations, the $\frac{3}{4}$ guarantee period ends on the date of termination.

The worker will be paid weekly; _____ by-weekly. Workers will be paid on Monday's (Day of the week) each payroll period and will be provided with an earning statement which contains the hours actually worked, total earnings, (piece rates/number of units (if piece rates are used) and all deductions. The statement will comply with 20CFR 655 102 (b) (8).

ASSURANCES STATEMENT
Form ETA 790 Attachment

ATTACHMENT LTR.: A

The employer will deduct any applicable Federal and State taxes and garnishments as required by law. No deductions will be made which would bring the employee's hourly wage rate below the Federal Minimum Wage. Cash advances and commissary meals, if provided, may be deducted to the extent permissible under the Federal and State net wage requirements providing there is a written authorization signed by the worker. The employer will maintain adequate and accurate payroll records and will furnish to the worker on or before each payday a written statement showing the employer's full name and address, the worker's Social Security number, the total hours of work offered, the total hours actually worked, total number of units if piece rate, the worker's total earnings and itemized deductions for that pay period. Such statement will comply with all Federal and State regulations.

The employer will expeditiously notify the order holding local office or State agency by telephone immediately upon learning that a crop is maturing earlier or later, or that weather conditions, over recruitment, or other factors have changed the terms and conditions of employment. If the employer fails to amend the date of need at least ten (10) working days* prior to the original date the employer shall pay eligible workers referred through the interstate clearance system a minimum rate of the current Adverse Effect Wage Rate (AEWR) for each eight (8) hour work day in the first week on which those workers were present and available for work and no work specified in the ETA 790, Item 11 is provided. If a worker referred through the interstate clearance system fails to notify the order holding office of continued interest in the job at least 5 days before the date of need, the worker will be disqualified from the above mentioned assurance. The employer agrees that no extension of employment beyond the period of employment shown on the job order will relieve the employer from paying wages already earned.

* "Working days" are defined as days the NJ Now One-Stop Career Center order holding office is open for business.

Unless the employer has amended the date of need no less than ten (10) working days prior to the date of need through this notice to the order holding office, the employer will guarantee one week's wage to all workers subject to this order beginning with the anticipated start date.

The employer assures that all working conditions comply with applicable Federal and State minimum wage, child labor, social security, health and safety, farm labor contractor (crew leader) registration and other employment-related laws.

Non-monetary benefits provided by the employer are: _____

The employer may terminate the worker's employment at any time, with notification to the local office, if the worker:

1. Refuses, without just cause, to perform the duties for which the worker was recruited and hired; or
2. Commits a serious act of misconduct or breach of discipline; or
3. Abandons the job which is defined as being absent for more than one day, without prior notification to the employer.

When the worker is terminated under any of these provisions, or if the worker voluntarily terminates his employment, the employer shall not be responsible for the three-fourths wage guarantee.

ASSURANCES STATEMENT
Form ETA 790 Attachment

ATTACHMENT LTR.: A

The employer will provide _____ days of training and/or allow _____ days of work for the workers to reach production standards.

After completion of a training or break-in period, the employer expects workers to meet the following production standards: _____

The employer will furnish the workers without cost, all tools, supplies, or equipment required in the performance of their work. Common work clothes are the responsibility of the worker.

The workers (will) (will not) be engaged in work defined by the U.S. Environmental Protection Agency and/or the N.J. Department of Environmental Protection as requiring pesticide safety training. (If "will," see proof of training authorization marked ATTACHMENT NO. _____.)

Transportation

The employer will, at no cost to the worker, provide transportation between the employers provided housing and the actual work site

The employer will reimburse the worker for the cost of transportation and subsistence expenses from the place of recruitment to the place of work, if such costs were borne by the worker, on or before the date the worker has completed 50% of the work contract period as specified in the ETA790, Item 6. Subsistence will be in accordance with current rates published in the Federal Register (currently no less than \$9.90 per day without receipts and up to \$39.00 per day with receipts as the maximum amount to be reimbursed)

The employer will not be responsible for providing the cost of return transportation and subsistence from the place of employment to the place of recruitment if the worker voluntarily abandons the job or is terminated for just cause.

Upon completion of the work contract, or termination for medical reasons, or as the result of an Act of God, the employer will pay reasonable costs of return transportation and subsistence to the place of recruitment. When the worker will not be returning to the place of recruitment due to subsequent employment with another employer who agrees to pay such costs this employer only pays for transportation to the next job. The amount of transportation payment will be equal to the most economical and reasonable similar common carrier transportation charges for the distance involved.

The employer (will) (will not) reimburse inbound transportation and subsistence expenses to any other person, government agency, or private organization which paid or advanced such expenses after the worker has completed fifteen (15) consecutive calendar days of employment. In either event the employer will reimburse these costs to the person/agency/organization no later than the date the worker has completed 50% of the work contract period appearing in the ETA 790, Item 6

Employer's Name (print or type)

George Cassaday

Employer's Signature

George Cassaday

Date

1/14/10